

CENTURY LAW GROUP LLP

Edward O. Lear, State Bar No. 132699

Rizza Gonzales, State Bar No. 268118

5200 W. Century Boulevard, Suite 345

Los Angeles, California 90045

Telephone: (310) 642-6900

Facsimile: (310) 642-6910

Attorneys for Plaintiff

OSCAR MADRIGAL SENCION

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

OSCAR MADRIGAL SENCION, an
individual,

PLAINTIFF,

vs.

SAXON MORTGAGE SERVICES,
INC., a business of unknown form;
OCWEN LOAN SERVICING, LLC;
DEUTSCHE BANK NATIONAL
TRUST COMPANY, as TRUSTEE
FOR NATIXIS REAL ESTATE
CAPITAL TRUST 2007-HE2; and,
DOES 1 through 100, inclusive,

Defendants.

Case No.: 5:10-cv-03108PSG

**REQUEST FOR JUDICIAL
NOTICE**

1 Pursuant to Rule 201 of the Federal Rules of Evidence, Plaintiff requests this
2 Court take judicial notice of the following documents in considering Plaintiff's
concurrently filed Opposition to Defendants' Motion to Dismiss:

- 3 1. April 8, 2010, Temporary Restraining Order in *Sencion v. Saxon, et al.*,
4 Santa Clara Superior Court Case No. 1-10CV168510, a true and correct
5 copy of which is attached hereto as Exhibit A. This document is not
6 subject to dispute and is capable of accurate and ready determination
through the public files of the Santa Clara Superior Court.
- 7 2. April 26, 2010, Preliminary Injunction in *Sencion v. Saxon, et al.*, Santa
8 Clara Superior Court Case No. 1-10CV168510, a true and correct copy of
9 which is attached hereto as Exhibit B. This document is not subject to
10 dispute and is capable of accurate and ready determination through the
public files of the Santa Clara Superior Court.
- 11 3. January 4, 2011, Unlawful Detainer Complaint in *Deutsche Bank v.*
12 *Sencion*, Santa Clara Superior Court Case No. 511CV005720, a true and
13 correct copy of which is attached hereto as Exhibit C. This document is
14 not subject to dispute and is capable of accurate and ready determination
through the public files of the Santa Clara Superior Court.
- 15 4. March 21, 2011, Order Granting Writ of Possession to Plaintiff Deutsche
16 Bank in *Deutsche Bank v. Sencion*, Santa Clara Superior Court Case No.
17 511CV005720. This is not subject to dispute and is capable of accurate
and ready determination through the public files of the Santa Clara
Superior Court.

18 ///

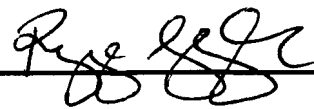
19 ///

20 ///

///

1 DATED: April __, 2011

CENTURY LAW GROUP LLP

2 
3

4 Edward O. Lear
5 Rizza Gonzales
6 Attorney for Plaintiff
7 Oscar Madrigal Sencion
8
9
10
11
12
13
14
15
16
17
18
19
20
..

EXHIBIT A

1. Business

Attorneys for Plaintiff
OSCAR MADRIGAL SENCION

IN AND FOR THE COUNTY OF SANTA CLARA

Defendants.

1-10CV168510

**[PROPOSED] TEMPORARY
RESTRAINING ORDER AND ORDER
TO SHOW CAUSE RE PRELIMINARY
INJUNCTION**

TO DEFENDANT SAXON MORTGAGE SERVICES, INC.:

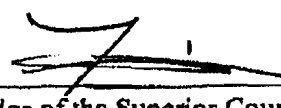
Based on the complaint in this action and on the declaration of Oscar Madrigal Sencion, you are ordered to appear on April 23, 2010, at 9:00 [a.m. / ~~p.m.~~] in Department 21 of this Court located at 191 North First Street, San Jose, CA 95113, to show cause why a preliminary injunction should not be ordered restraining and enjoining you, your employees, agents, or any other persons or entity acting with you or on your behalf from proceeding with:

- Unlawful detainer/eviction proceedings against Plaintiff Oscar Madrigal Sencion from certain real property which is the subject of the above-captioned complaint located at 9120 Murray Ave., Gilroy, CA 95020.
- Further sale or conveyance of certain real property which is the subject of the above-captioned complaint located at 9120 Murray Ave., Gilroy, CA 95020.

TEMPORARY RESTRAINING ORDER

Pending hearing on the Order to Show Cause, you, your employees, agents, or any other persons or entity acting with you or on your behalf are restrained and enjoined from proceeding with unlawful detainer/eviction proceedings against Plaintiff Oscar Madrigal Sencion from certain real property which is the subject of the above-captioned complaint located at 9120 Murray Ave., Gilroy, CA 95020 and further, sale or conveyance of the aforementioned property by you or on your behalf.

DATED: April 8, 2010


Judge of the Superior Court

Kevin E. McKenney

EXHIBIT B

1 **CENTURY LAW GROUP LLP**
Edward O. Lear, State Bar No. 132699
2 Marisol Ocampo, State Bar No. 198087
Daniel A. Woodford, State Bar No. 241086
3 5200 W. Century Boulevard, Suite 345
Los Angeles, California 90045
4 Telephone: (310) 642-6900
Facsimile: (310) 642-6910

5 Attorneys for PLAINTIFF
6 OSCAR MADRIGAL SENCION

ENDORSED

2010 APR 27 P 12: 01

David H. Vinasola, Clerk of the Superior Court
County of Santa Clara, California

By: _____ Deputy Clerk
Mendez

7
8 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF SANTA CLARA**
10

11 OSCAR MADRIGAL SENCION, an
12 individual,

13 **PLAINTIFF,**

14 vs.

15 SAXON MORTGAGE SERVICES, INC., a
16 business of unknown form; DOES 1 through
17 100, inclusive,

18 **Defendants.**

Case No.: 110CV168510

**[PROPOSED] ORDER AND
PRELIMINARY INJUNCTION**

19
20
21 The Order to Show Cause Re: Preliminary Injunction came on for hearing in Department
22 21 of this Court on April 23, 2010 at 9:00 a.m. Daniel Woodford appeared on behalf of plaintiff,
23 Oscar Madrigal Sencion. There was no appearance on behalf of defendant Saxon Mortgage
24 Services, Inc. Having read the motion, the points and authorities and the declarations filed by
25 the plaintiff, and having heard argument of counsel, and satisfactory evidence having been
26 presented, the Court rules as follows:

27 IT IS ORDERED THAT plaintiff's motion is granted. Defendant Saxon Mortgage
28 Services, Inc., and their employees, agents, and persons acting with them or on their behalf are

1 enjoined and restrained from proceeding with foreclosure proceedings against Plaintiff Oscar
2 Madrigal Sencion's Home, certain real property located at 9120 Murray Avenue, Gilroy, CA
3 95020, Assessors Parcel No. 835-05-004 pending the trial of this action or further order of this
4 court.

5 The Court reserves jurisdiction to modify or dissolve the injunction as may be required
6 by the interests of justice.

7
8
9 DATED: April 26, 2010

10
11 Kevin E. McKenney

12

Hon. Kevin McKenney,
13 Judge of the Superior Court
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT C

SUM-130

SUMMONS (CITACION JUDICIAL)

UNLAWFUL DETAINER—EVICTION

(RETENCIÓN ILÍCITA DE UN INMUEBLE—DESALOJO)

NOTICE TO DEFENDANT:

(AVISO AL DEMANDADO):

Oscar Madrigal Sencion, and Does 1 through 5, inclusive,

YOU ARE BEING SUED BY PLAINTIFF:

(LO ESTÁ DEMANDANDO EL DEMANDANTE):

DEUTSCHE BANK, "Additional Parties Attachment form is attached"

FOR COURT USE ONLY (SOLO PARA USO DE LA CORTE)	
JAN -4 2011	
Deputy Clk. N. Miles	Deputy Court Clerk

You have 5 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. (To calculate the five days, count Saturday and Sunday, but do not count other court holidays. If the last day falls on a Saturday, Sunday, or a court holiday then you have the next court day to file a written response.) A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouses nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

Tiene 5 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. (Para calcular los cinco días, cuente los sábados y los domingos pero no los otros días feriados de la corte. Si el último día cae en sábado o domingo, o en un día en que la corte esté cerrada, tiene hasta el próximo día de corte para presentar una respuesta por escrito). Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desear el caso.

1. The name and address of the court is:
(El nombre y dirección de la corte es):
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
301 DIANA AVENUE, MORGAN HILL CA 95037
SOUTH COUNTY COURTHOUSE

CASE NUMBER:
(Número del caso): 511CV005720

VIA FAX FILE

2. The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Shelly Raiszadeh, Esq. #270148 / Grace M. Kim, Esq. #233089 / Michael Gonzales, Esq. #261302 (714)848-7920
Law Offices of Les Zieve (714)848-7650
18377 Beach Blvd, Suite 210, Huntington Beach, CA 92648
3. (Must be answered in all cases) An unlawful detainer assistant (Bus. & Prof. Code, §§ 6400–6415) ☒ did not ☐ did for compensation give advice or assistance with this form. (If plaintiff has received any help or advice for pay from an unlawful detainer assistant, complete item 6 on the next page.)

Date:
(Fecha)

JAN -4 2011

DAVID H. KAMASAKI
(Secretario)

N. Miles

Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

(SEAL)

4. NOTICE TO THE PERSON SERVED: You are served

- a. ☒ as an individual defendant.
b. ☐ as the person sued under the fictitious name of (specify):
c. ☐ as an occupant
d. ☐ on behalf of (specify):

under:

- ☐ CCP 416.10 (corporation)
☐ CCP 416.20 (defunct corporation)
☐ CCP 416.40 (association or partnership)
☐ CCP 415.46 (occupant)

- ☐ CCP 416.60 (minor)
☐ CCP 416.70 (conservatee)
☐ CCP 416.90 (authorized person)
☐ other (specify):

5. ☐ by personal delivery on (date):

SUM-130

PLAINTIFF (Name): DEUTSCHE BANK NATIONAL TRUST COMPANY	CASE NUMBER:
DEFENDANT (Name): Oscar Madrigal Sencion, and Does 1 through 5, inclusive,	

6. Unlawful detainer assistant (complete if plaintiff has received any help or advice for pay from an unlawful detainer assistant):

- a. Assistant's name:
- b. Telephone no.:
- c. Street address, city, and zip:
- d. County of registration:
- e. Registration no.:
- f. Registration expires on (date):

SUM-200(A)

SHORT TITLE: DEUTSCHE BANK NATIONAL TRUST COMPANY vs. SENCION	CASE NUMBER:
--	--------------

INSTRUCTIONS FOR USE

- This form may be used as an attachment to any summons if space does not permit the listing of all parties on the summons.
 → If this attachment is used, insert the following statement in the plaintiff or defendant box on the summons: "Additional Parties Attachment form is attached."

List additional parties (Check only one box. Use a separate page for each type of party.):

☒ Plaintiff ☐ Defendant ☐ Cross-Complainant ☐ Cross-Defendant

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR NATIXIS REAL ESTATE CAPITAL TRUST 2007-HE2

Page ____ of ____

Page 1 of 1

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Shelly Raiszadeh, Esq. #270148 Grace M. Kim, Esq. #233089 Michael Gonzales, Esq. #261302 Law Offices of Les Zieve, 18377 Beach Blvd. Suite 210, Huntington Beach, CA 92648 TELEPHONE NO.: (714) 848-7920 FAX NO.: (714) 848-7650 ATTORNEY FOR (Name): DEUTSCHE BANK NATIONAL TRUST COMPANY		CM-010 JAN -4 2011 N. Miles
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 301 DIANA AVENUE MAILING ADDRESS: CITY AND ZIP CODE: MORGAN HILL CA 95037 BRANCH NAME: SOUTH COUNTY COURTHOUSE		
CASE NAME: DEUTSCHE BANK NATIONAL TRUST COMPANY VS. OSCAR MADRIGAL SENCION, and Does 1 through 5, inclusive		
CIVIL CASE COVER SHEET <input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)	<input checked="" type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	CASE NUMBER: 11 CV 005720 JUDGE: D109 DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (28) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input checked="" type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
--	---	---

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify): Two: Possession of Premises and Damages
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: December 31, 2010 Michael Gonzales, Esq. #270148
 Shelly Raiszadeh, Esq. #270148
 Grace M. Kim, Esq. #233089
 (TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

CM-010

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)-Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (not asbestos or toxic/environmental) (24)
Medical Malpractice (45)
Medical Malpractice-Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (not civil harassment) (08)
Defamation (e.g., slander, libel) (13)
Fraud (18)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (not medical or legal)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (08)
Breach of Rental/Lease
Contract (not unlawful detainer or wrongful eviction)
Contract/Warranty Breach-Seller
Plaintiff (not fraud or negligence)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case-Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (not provisionally complex) (18)
Auto Subrogation
Other Coverage

Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (28)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (not eminent domain, landlord/tenant, or foreclosure)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ-Administrative Mandamus
Writ-Mandamus on Limited Court Case Matter
Writ-Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal-Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (arising from provisionally complex case type listed above) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (non-domestic relations)
Sister State Judgment
Administrative Agency Award (not unpaid taxes)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (not specified above) (42)
Declaratory Relief Only
Injunctive Relief Only (non-harassment)
Mechanics Lien
Other Commercial Complaint Case (non-tort/non-complex)
Other Civil Complaint (non-tort/non-complex)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (not specified above) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

NOTICE: EVERYONE WHO LIVES IN THIS RENTAL UNIT MAY BE EVICTED BY COURT ORDER. READ THIS FORM IF YOU LIVE HERE AND IF YOUR NAME IS NOT ON THE ATTACHED SUMMONS AND COMPLAINT.

1. If you live here and you do not complete and submit this form within 10 days of the date of service shown on this form, you will be evicted without further hearing by the court along with the persons named in the Summons and Complaint.
2. If you file this form, your claim will be determined in the eviction action against the persons named in the Complaint.
3. If you do not file this form, you will be evicted without further hearing.

CLAIMANT OR CLAIMANT'S ATTORNEY (Name and Address):		TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY FOR (Name):			
NAME OF COURT: SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA			
STREET ADDRESS: 301 DIANA AVENUE MAILING ADDRESS: CITY AND ZIP CODE: MORGAN HILL CA 95037 BRANCH NAME: SOUTH COUNTY COURTHOUSE			
PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY			
DEFENDANT: OSCAR MADRIGAL SENCION, and Does 1 through 5, inclusive			
PREJUDGMENT CLAIM OF RIGHT TO POSSESSION			CASE NUMBER: 511CV005720
Complete this form only if ALL of these statements are true: 1. You are NOT named in the accompanying Summons and Complaint. 2. You occupied the premises on or before the date the unlawful detainer (eviction) Complaint was filed. 3. You still occupy the premises.			(To be completed by the process server) DATE OF SERVICE: (Date that this form is served or delivered, and posted, and mailed by the officer or process server)

I DECLARE THE FOLLOWING UNDER PENALTY OF PERJURY:

1. My name is (specify):

2. I reside at (street address, unit No., city and ZIP code):

3. The address of "the premises" subject to this claim is (address):

4. On (insert date): , the landlord or the landlord's authorized agent filed a complaint to recover possession of the premises. (This date is the court filing date on the accompanying Summons and Complaint.)

5. I occupied the premises on the date the complaint was filed (the date in Item 4). I have continued to occupy the premises ever since.

6. I was at least 18 years of age on the date the complaint was filed (the date in Item 4).

7. I claim a right to possession of the premises because I occupied the premises on the date the complaint was filed (the date in Item 4).

8. I was not named in the Summons and Complaint.

9. I understand that if I make this claim of right to possession, I will be added as a defendant to the unlawful detainer (eviction) action.

10. (Filing fee) I understand that I must go to the court and pay a filing fee of \$ _____ or file with the court the form "Application for Waiver of Court Fees and Costs." I understand that if I don't pay the filing fee or file with the court the form for waiver of court fees within 10 days from the date of service on this form (excluding court holidays), I will not be entitled to make a claim of right to possession.

(Continued on reverse)

VIA FAX FILE

PLAINTIFF (Name): DEUTSCHE BANK NATIONAL TRUST COMPANY	CASE NUMBER:
DEFENDANT (Name): OSCAR MADRIGAL SENCION, and Does 1 through 5,	

NOTICE: If you fail to file this claim, you will be evicted without further hearing.

11. (Response required within five days after you file this form) I understand that I will have five days (excluding court holidays) to file a response to the Summons and Complaint after I file this Prejudgment Claim of Right to Possession form.

12. Rental agreement. I have (check all that apply to you):

- a. ☐ an oral rental agreement with the landlord.
- b. ☐ a written rental agreement with the landlord.
- c. ☐ an oral rental agreement with a person other than the landlord.
- d. ☐ a written rental agreement with a person other than the landlord.
- e. ☐ other (explain):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

WARNING: Perjury is a felony, punishable by imprisonment in the state prison.

Date:

.....
(TYPE OR PRINT NAME)

.....
(SIGNATURE OF CLAIMANT)

NOTICE: If you file this claim of right to possession, the unlawful detainer (eviction) action against you will be determined at trial. At trial, you may be found liable for rent, costs, and, in some cases, treble damages.

— NOTICE TO OCCUPANTS —

YOU MUST ACT AT ONCE if all the following are true:

1. You are NOT named in the accompanying Summons and Complaint.
2. You occupied the premises on or before the date the unlawful detainer (eviction) complaint was filed. (The date is the court filing date on the accompanying Summons and Complaint.)
3. You still occupy the premises.

(Where to file this form) You can complete and SUBMIT THIS CLAIM FORM WITHIN 10 DAYS from the date of service (on the reverse of this form) at the court where the unlawful detainer (eviction) complaint was filed.

(What will happen if you do not file this form) If you do not complete and submit this form and pay a filing fee or file the form for proceeding in forma pauperis (if you cannot pay the fee), YOU WILL BE EVICTED.

After this form is properly filed, you will be added as a defendant in the unlawful detainer (eviction) action and your right to occupy the premises will be decided by the court. If you do not file this claim, you will be evicted without a hearing.

NOTICE: EVERYONE WHO LIVES IN THIS RENTAL UNIT MAY BE EVICTED BY COURT ORDER. READ THIS FORM IF YOU LIVE HERE AND IF YOUR NAME IS NOT ON THE ATTACHED SUMMONS AND COMPLAINT.

1. If you live here and you do not complete and submit this form within 10 days of the date of service shown on this form, you will be evicted without further hearing by the court along with the persons named in the Summons and Complaint.
2. If you file this form, your claim will be determined in the eviction action against the persons named in the Complaint.
3. If you do not file this form, you will be evicted without further hearing.

CLAIMANT OR CLAIMANT'S ATTORNEY (Name and Address):		TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY FOR (Name):			
NAME OF COURT: SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA			
STREET ADDRESS: 301 DIANA AVENUE			
MAILING ADDRESS:			
CITY AND ZIP CODE: MORGAN HILL CA 95037			
BRANCH NAME: SOUTH COUNTY COURTHOUSE			
PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY			
DEFENDANT: OSCAR MADRIGAL SENCION, and Does 1 through 5, inclusive			
PREJUDGMENT CLAIM OF RIGHT TO POSSESSION		CASE NUMBER:	511 CV 005720
Complete this form only if ALL of these statements are true: 1. You are NOT named in the accompanying Summons and Complaint. 2. You occupied the premises on or before the date the unlawful detainer (eviction) Complaint was filed. 3. You still occupy the premises.		(To be completed by the process server) DATE OF SERVICE: (Date that this form is served or delivered, and posted, and mailed by the officer or process server)	

I DECLARE THE FOLLOWING UNDER PENALTY OF PERJURY:

1. My name is (specify):
2. I reside at (street address, unit No., city and ZIP code):
3. The address of "the premises" subject to this claim is (address):
4. On (insert date): , the landlord or the landlord's authorized agent filed a complaint to recover possession of the premises. (This date is the court filing date on the accompanying Summons and Complaint.
5. I occupied the premises on the date the complaint was filed (the date in item 4). I have continued to occupy the premises ever since.
6. I was at least 18 years of age on the date the complaint was filed (the date in item 4).
7. I claim a right to possession of the premises because I occupied the premises on the date the complaint was filed (the date in item 4).
8. I was not named in the Summons and Complaint.
9. I understand that if I make this claim of right to possession, I will be added as a defendant to the unlawful detainer (eviction) action.
10. (Filing fee) I understand that I must go to the court and pay a filing fee of \$ or file with the court the form "Application for Waiver of Court Fees and Costs." I understand that if I don't pay the filing fee or file with the court the form for waiver of court fees within 10 days from the date of service on this form (excluding court holidays), I will not be entitled to make a claim of right to possession.

(Continued on reverse)

VIA FAX FILE

PLAINTIFF (Name): DEUTSCHE BANK NATIONAL TRUST COMPANY	CASE NUMBER:
DEFENDANT (Name): OSCAR MADRIGAL SENCION, and Does 1 through 5,	

NOTICE: If you fail to file this claim, you will be evicted without further hearing.

11. (Response required within five days after you file this form) I understand that I will have five days (excluding court holidays) to file a response to the Summons and Complaint after I file this Prejudgment Claim of Right to Possession form.

12. Rental agreement. I have (check all that apply to you):

- a. ☐ an oral rental agreement with the landlord.
- b. ☐ a written rental agreement with the landlord.
- c. ☐ an oral rental agreement with a person other than the landlord.
- d. ☐ a written rental agreement with a person other than the landlord.
- e. ☐ other (explain):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

WARNING: Perjury is a felony punishable by imprisonment in the state prison.

Date:

.....
(TYPE OR PRINT NAME)

.....
(SIGNATURE OF CLAIMANT)

NOTICE: If you file this claim of right to possession, the unlawful detainer (eviction) action against you will be determined at trial. At trial, you may be found liable for rent, costs, and, in some cases, treble damages.

— NOTICE TO OCCUPANTS —

YOU MUST ACT AT ONCE if all the following are true:

1. You are NOT named in the accompanying Summons and Complaint.
2. You occupied the premises on or before the date the unlawful detainer (eviction) complaint was filed. (The date is the court filing date on the accompanying Summons and Complaint.)
3. You still occupy the premises.

(Where to file this form) You can complete and SUBMIT THIS CLAIM FORM WITHIN 10 DAYS from the date of service (on the reverse of this form) at the court where the unlawful detainer (eviction) complaint was filed.

(What will happen if you do not file this form) If you do not complete and submit this form and pay a filing fee or file the form for proceeding in forma pauperis if you cannot pay the fee, YOU WILL BE EVICTED.

After this form is properly filed, you will be added as a defendant in the unlawful detainer (eviction) action and your right to occupy the premises will be decided by the court. If you do not file this claim, you will be evicted without a hearing.

Shelly Raiszadeh, Esq. (CA Bar #270148)
 Grace M. Kim, Esq. (CA Bar #233089)
 Michael Gonzales, Esq. (CA Bar #261302)
 Law Offices of Les Zieve
 18377 Beach Blvd. Suite 210
 Huntington Beach, CA 92648
 Phone: 714-848-7920
 Fax: 714-848-7650

Attorney for Plaintiff

FILED
 JAN -4 2011
 Superior Court
 Santa Clara
 N. Mills
 VIA FAX FILE

SUPERIOR COURT OF STATE OF CALIFORNIA
 FOR THE COUNTY OF SANTA CLARA
 SOUTH COUNTY COURTHOUSE

DEUTSCHE BANK NATIONAL TRUST
 COMPANY, AS TRUSTEE FOR NATIXIS REAL
 ESTATE CAPITAL TRUST 2007-HE2

Plaintiff,

vs.

Oscar Madrigal Sencion, and Does 1 through 5,
 inclusive,

Defendants.

Case No.: 511 CV 005720

VERIFIED COMPLAINT FOR UNLAWFUL
 DETAINER (residential)

(demand for complaint is less than \$10,000.00)

Plaintiff alleges:

1. Plaintiff, DEUTSCHE BANK NATIONAL TRUST COMPANY, is a corporation qualified to do business in California.
2. Plaintiff, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR NATIXIS REAL ESTATE CAPITAL TRUST 2007-HE2, is the owner of the real property located at 9120 Murray Avenue, Gilroy CA 95020, ("premises") and is entitled to possession thereof.
3. On or about 03/19/2010 plaintiff became the owner of the premises by purchasing them at a trustee's sale held in compliance with California Civil Code § 2924. The title of the premises pursuant to the foreclosure sale has been duly perfected in plaintiff's name. A true and correct copy of the Trustee's Deed Upon Sale is attached hereto and incorporated herein as Exhibit "A".

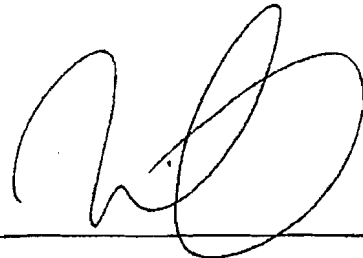
COMPLAINT

4. Each defendant named above is a natural person. The true names and capacities of defendants sued as Does are unknown to plaintiff. Plaintiff is informed and believes, and based thereon alleges, that each fictitiously named Defendant is responsible in some manner for the actions or inactions alleged in this Complaint and/or claim some right to possession of the real property described above. Plaintiff will either amend this Complaint to set forth the identity and capacity of each DOE Defendant when ascertained or will conform this Complaint to proof at trial.
5. Defendants have occupied the premises since foreclosure sale without the consent of plaintiff. Defendant's title to and/or right to possess the premises was extinguished by the foreclosure sale.
6. On or about 12/27/2010 plaintiff served a written notice on defendants to quit and deliver up possession of the premises within 3 days after service of the notice if they are a former owner of the premises or within 90 days after service if they are tenants. Said notice is hereinafter referred to as the "Notice To Quit". A true and correct copy of the Notice to Quit and proof of service thereof are attached hereto and incorporated herein together as Exhibit "B".
7. More than three (3) days have elapsed since the service of the Notice To Quit without defendants quitting and delivering up possession of the premises.
8. Plaintiff is entitled to damages in the sum of \$100.00 per day from the expiration of the Notice To Quit for the reasonable value of the use and occupancy of the premises.

WHEREFORE, plaintiff prays for judgment against defendants as follows:

- (1) For restitution of the premises;
- (2) For damages in the amount of \$100.00 for each day defendants occupy the premises from the expiration of the Notice To Quit through entry of judgment;
- (3) For Costs of suit;
- (4) For such other relief as the Court deems proper.

Dated: DECEMBER 31, 2010



Law Offices of Les Zieve
 BY: Shelly Raiszadeh, Esq.
 Grace M. Kim, Esq.
 Michael Gonzales, Esq.
 Counsel for DEUTSCHE BANK NATIONAL
 TRUST COMPANY, AS TRUSTEE FOR
 NATIXIS REAL ESTATE CAPITAL TRUST
 2007-HE2

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF ORANGE

I have read the foregoing VERIFIED COMPLAINT FOR UNLAWFUL DETAINER –
RESIDENTIAL and know its contents.

X CHECK APPLICABLE PARAGRAPH

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am _____ of _____, a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason.

I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

X I am one of the attorneys for, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR NATIXIS REAL ESTATE CAPITAL TRUST 2007-HE2, a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing documents are true.

Executed on December 31, 2010, at Huntington Beach, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

SHELLY RAISZADEH, ESQ.
GRACE M. KIM, ESQ.
MICHAEL GONZALES, ESQ.


Signature

2
4
2
5
2
6
2
7
2
8
2
9
3
0
3
1
3
2
3
3
3
3
4
3
5
3
6

“EXHIBIT A”

21

DOCUMENT: 20657916

Pages: 3



Fees...	21.00
Taxes...	
Copies...	
AMT PAID	21.00

RECORDING REQUESTED BY

and

WHEN RECORDED MAIL TO

8AXON MORTGAGE SERVICES, INC.
4708 MERCANTILE DRIVE
FORT WORTH, TX 76137
Trustee Sale No. 06-FMG-73896

REGINA ALCOMENDRAS
SANTA CLARA COUNTY RECORDER
Recorded at the request of
Recording Service

RDE H 024
3/28/2010
10:36 AM

APN# 835-05-004
Address 9120 MURRAY AVENUE
GILROY, CA 95020

090290426

20657916



TRUSTEE'S DEED

1st portion

The undersigned grantor declares:

1. The Grantee herein was the foreclosing beneficiary.
2. The amount of the unpaid debt together with costs was \$711,166.40.
3. The amount paid by the Grantee at the Trustee's Sale was \$318,780.00.
4. The documentary transfer tax is \$ 0.

"This instrument is being recorded as an
ACCOMMODATION ONLY, with no
Representation as to its effect upon title"

REGIONAL SERVICE CORPORATION, a California corporation, as the duly appointed Trustee under the Deed of Trust hereinafter described (herein called TRUSTEE), hereby grants and conveys, but without warranty, express or implied, to:

Deutsche Bank National Trust Company, as Trustee for NATIXIS Real Estate Capital
Trust 2007-HE2

Herein called GRANTEE, all of its right, title and interest in and to that certain property situate in the City of GILROY, County of SANTA CLARA, State of CALIFORNIA, described as follows:

ATTACHED HERETO AS EXHIBIT 'A' AND INCORPORATED HEREIN AS THOUGH
FULLY SET FORTH.

TAX-PARCEL NO: 835-05-004

This conveyance is made pursuant to the powers conferred upon TRUSTEE by that certain Deed of Trust executed by OSCAR MADRIGAL SENCION, A SINGLE MAN, as Trustor recorded 12/11/2006, as Instrument No. 19218874, of Official Records in the office of the Recorder of SANTA CLARA County, State of CALIFORNIA, and after fulfillment of the conditions as specified in said Deed of Trust authorizing this conveyance. Default occurred as set forth in a Notice of Default and Election to Sell which was filed for record in the office of the Recorder of said County, and such default still existed at the time of sale. All requirements of law regarding the mailing of copies of notices and posting and publication of copies of the Notice of Sale have been complied with.

Said property was sold by said Trustee at public auction on March 18, 2010, at the place named in the Notice of Sale, in the County of SANTA CLARA, CALIFORNIA, in which the property is situated. Grantee, being the highest bidder at such sale, became the purchaser of said property and paid therefor

to said Trustee the amount b/d, in lawful money of the United States, or by the satisfaction, pro tanto, of the obligations then secured by said Deed of Trust.

Date: 3/24/2010

REGIONAL SERVICE CORPORATION, Trustee

By [Signature]
JEAN GREAGOR, AUTHORIZED AGENT

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On 3/24/2010, before me, the undersigned, a Notary Public, personally appeared JEAN GREAGOR, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]
NOTARY PUBLIC

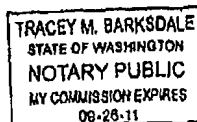


EXHIBIT FOR LEGAL DESCRIPTION

Trustee's Sale No. 05-PMQ-73896

EXHIBIT 'A'

The land referred to herein is situated in the State of California, County of Santa Clara, City of Gilroy, and is described as follows:

BEGINNING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF MURRAY AVENUE WITH THE CENTER LINE OF LAS ANIMAS AVENUE, AND RUNNING THENCE NORTHERLY AND ALONG THE CENTER LINE OF MURRAY AVENUE TWO HUNDRED THIRTEEN (213) FEET, THREE (3) INCHES, THENCE EASTERLY AND PARALLEL WITH THE LAS ANIMAS AVENUE THREE HUNDRED THIRTY-ONE (331) FEET TO THE EASTERLY LINE OF LOT NO. 12 HEREINAFTER REFERRED TO, THENCE SOUTHERLY AND ALONG THE EASTERLY LINE OF SAID LOT NO. 12, TWO HUNDRED THIRTEEN (213) FEET, THREE (3) INCHES TO THE CENTER LINE OF LAS ANIMAS AVENUE, THENCE WESTERLY AND ALONG THE CENTER LINE OF LAS ANIMAS AVENUE THREE HUNDRED THIRTY-ONE (331) FEET TO THE PLACE OF BEGINNING, AND BRING THE SOUTHERLY PORTION OF THE EASTERLY 1/4 OF LOT 12 OF HENRY MILLER'S SUBDIVISION OF PART OF LAS ANIMAS RANCH NO. 34, ACCORDING TO THAT CERTAIN MAP COMPILED BY HERMANN BROS. AND RECORD IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, IN BOOK E OF MAPS, AT PAGE 77 ET. SEQ., FEBRUARY 28, 1891.

A. P. N. #1 835-05-004

“EXHIBIT B”

NOTICE TO QUIT

TO: OSCAR MADRIGAL SENCION, AND ALL UNKNOWN OCCUPANTS

ADDRESS: 9120 Murray Avenue, Gilroy, CA 95020
(referred to below as the "above-described real property")

The above-described real property was sold in accordance with California Civil Code §2924, under a Power of Sale contained in a Deed of Trust securing said real property, and title under the foreclosure sale has been duly perfected by virtue of the Power of Sale in the Deed of Trust.

If you are a former owner of the above-described real property, within three (3) days after service of this notice, you are hereby required to quit and deliver possession of the above-described real property now held and occupied by you. This Notice to Quit specifically terminates any possessory interest you may have in the above-described real property. This Three (3) Day Notice to Quit is served upon you pursuant to California Code of Civil Procedure §1161a for the purpose of terminating occupancy of the above-described real property.

If you are a tenant or a subtenant of the above-described real property you must vacate the above described real property within ninety (90) days after service of this Notice to Quit. This ninety (90) Day Notice to Quit is served upon you pursuant to California Code of Civil Procedure §1161b.

NOTE: IF YOU ARE NOT NAMED ABOVE, CONTACT THE UNDERSIGNED AT 714-842-6346

Dated: December 22, 2010

LAW OFFICES OF LES ZIEVE

Shelly Raiszadeh, Esq.

Grace M. Kim, Esq.

Michael Gonzales, Esq.

LAW OFFICES OF LES ZIEVE

Attorney for DEUTSCHE BANK NATIONAL
TRUST COMPANY, AS TRUSTEE FOR
NATIXIS REAL ESTATE CAPITAL TRUST
2007-HE2

2010002320

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served the following documents (Specify): NOTICE TO QUIT
3. Party served (specify name of party as shown on documents served): OSCAR MADRIGAL SENCION AND ALL UNKNOWN OCCUPANTS
4. Address where the party was served: 9120 MURRAY AVENUE GILROY, CA 95020
5. I served the party (check proper box)
- a. ☐ by personal service [CCP § 1162(1)]. I personally delivered the documents listed in Item 2 to the party or person authorized to receive service of process for the party (1) on (Date): _____ (2) at (time): _____
- b. ☒ by substituted service on a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers. [CCP § 1162(2)] On (date): 12/27/10 at (time): 1:55 PM I left the documents listed in Item 2 with or in the presence of (name and title or relationship to person indicated in Item 3): Yesenia Espinoza hispanic, female, 20yrs, brown hair, brown eyes, 5'3, 135lbs
- (1) ☐ thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left. I mailed the documents on (date): _____ from (city): _____ or ☒ a declaration of mailing is attached.

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT: OSCAR MADRIGAL SENCION	Ref. No. or File No.: 2010002320

c. ☐ by POSTING on _____ (Date) & _____ (Time) in a conspicuous place on the property therein described, there being no person of suitable age or discretion to be found at any known place of residence or business of said tenants; and mailing a copy by first class mail, postage pre-paid, and depositing said copies in the United States Mail, in a sealed envelope, addressed as stated above. [CCP § 1162(3)]

(1) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left. I mailed the documents on (date): _____ from (city): _____ or ☐ a declaration of mailing is attached.

6. I am

- a. ☐ not a registered California process server. o. ☐ an employee or independent contractor of a registered California process server.
- b. ☒ a registered California process server.
- d. ☐ exempt from registration under Business & Professions Code section 22350(b).

7. Fee for Service: 60.00

County: Santa Clara

Registration No.: 1202

Name & Address: Raul De Leon

981 RIDDER PARK DRIVE
SAN JOSE, CA 95131

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 12/27/10

Raul De Leon

(NAME OF PERSON WHO SERVED PAPERS)

[Signature]

(SIGNATURE)

Attorney or Party without Attorney: Law Offices Of: Les Zieve 18377 Beach Blvd. Suite 210 Huntington Beach, CA 92648 Telephone No: 714-848-7920 FAX No:		For Court Use Only	
Attorney for: Plaintiff Insert name of Court, and Judicial District and Branch Court:		Ref. No or File No.: 2010002320	
Plaintiff: DEUTSCHE BANK NATIONAL TRUST COMPANY, ET AL Defendant: Oscar Madrigal Sencion And All Unknown Occupants, C/O (Oscar Madrigal Sencion)			
PROOF OF SERVICE By Mail		Hearing Date:	Time:
		Dept/Div:	Case Number: 2010002320

1. I am over the age of 18 and not a party to this action. I am employed in the county where the mailing occurred.
2. I served copies of the NOTICE TO QUIT; NOTICE TO QUIT
3. By placing a true copy of each document in the United States mail, in a sealed envelope by First Class mail with postage prepaid as follows:
 - a. Date of Mailing: Mon., Dec. 27, 2010
 - b. Place of Mailing: San Jose, CA 95131
 - c. Addressed as follows: OSCAR MADRIGAL SENCION AND ALL UNKNOWN OCCUPANTS, C/O (OSCAR MADRIGAL SENCION)
9120 MURRAY AVENUE
Gilroy, CA 95020
4. I am readily familiar with the business practice for collection and processing of correspondence as deposited with the U.S. Postal Service on Mon., Dec. 27, 2010 in the ordinary course of business.
5. *Person Serving:*
 - a. Garret L. Brown
 - b. Pro-Vest, Inc.
7676 HAZARD CENTER DRIVE #500
San Diego, CA 92108
 - c.

Recoverable Cost Per CCP 1033.5(a)(4)(B)

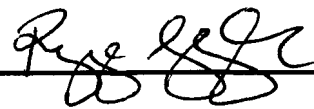
- d. *The Fee for Service was:*
- e. I am: (3) registered California process server
 - (i) Independent Contractor
 - (ii) Registration No.: 1074
 - (iii) County: Santa Clara
 - (iv) Expiration Date: Wed, Nov. 30, 2011

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Mon, Dec. 27, 2010

1 DATED: April __, 2011

CENTURY LAW GROUP LLP

2 
3

4 Edward O. Lear
5 Rizza Gonzales
6 Attorney for Plaintiff
7 Oscar Madrigal Sencion
8
9
10
11
12
13
14
15
16
17
18
19
20
..